



# Appropriations Update

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## FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2007 (H.J.RES. 100)

### SUMMARY

H.J.Res. 100 provides stopgap funding at the lower of the House-passed or levels or last year's enacted levels. It extends for an additional 3 weeks (through 8 December 2006) the current continuing appropriations resolution, providing \$456.5 billion, at an annualized rate, for programs and activities normally funded through appropriations bills that have not yet been enacted. The first continuing resolution [CR] – which was included as Division B of the Department of Defense appropriations bill for 2007 (Public Law 109-289) – expires at midnight on 17 November; H.J. Res. 100 continues the same provisions and funding levels.

Two regular appropriations bills for fiscal year 2007 – Defense and Homeland Security – have been enacted. The other nine are awaiting completion by the Congress.

On an annual basis, appropriations provided by H.J.Res. 100, when added to the amounts provided by the two bills already enacted, are within the overall spending limits established by the budget resolution for the Committee on Appropriations. One subcommittee funded under this continuing resolution, however, exceeds its section 302(b) suballocation as filed by the Committee on Appropriations. As such, the measure would violate the Congressional

Budget Act had the measure been reported by the Appropriations Committee. Because this measure will be considered under suspension on the rules, and not reported by the committee, the point of order does not apply.

The CR provides for ongoing government operations covered by bills awaiting final action until either: 1) the enactment of a regular appropriation covering the project or activity; or 2) the expiration of the continuing resolution. The CR does not affect mandatory spending programs – programs not subject to the annual appropriations process.

The CR continues the temporary authorization of spending for certain specified activities that would otherwise expire. These include the administrative cost of student loans; authorization for the Export-Import Bank; rental assistance; and the collection of fees related to U.S. Patent and Trademark Office activities. It also accommodates budget restructuring in the Internal Revenue Service and the National Aeronautics and Space Administration [NASA]. The authorizing language was requested by the Office of Management and Budget to ensure that the legal authority exists to carry out the purposes of the CR; none of these provisions adds to the cost of the bill.

**Table 1: Continuing Resolution for Fiscal Year 2007**  
**Excludes Defense and Homeland Security Appropriations**  
(fiscal years; millions of dollars)

	<b>2006 Incl. Emergency</b>	<b>2006 Excl. Emergency</b>	<b>302 (a) for 2007</b>	<b>CR</b>
Budget Authority	503,105	452,466	463,341	456,548
Outlays	521,429	509,595	531,835	524,664

### COST OF THE LEGISLATION

As shown in Table 1 above, on an annualized basis, the continuing resolution provides \$456.5 billion in budget

authority [BA]. This amount is \$6.8 billion, or 1.5 percent, below the \$463.3 billion in budget authority provided by the

(continued on reverse side)

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continuing resolution on the budget for fiscal year 2007 (H.Con.Res. 376).

Table 2, below, shows that for each of the bills covered under the CR, spending will be less than its respective 302(b) suballocation, except for the Labor, Health and Human Resources appropriations bill, which funds most of the government's human resources activities. This results from the way funding levels for the CR are determined – specifically, whether they are funded at the 2006 rate of operations or the amount provided in separate fiscal year 2007 appropriations bills passed by either the House or Senate as of 1 October 2006, whichever is lower. As of 1 October, neither the House nor the Senate had passed a separate measure for the Departments of Labor, Health and Human Services, and Education, and Related Agencies; therefore the CR provides budget authority at the 2006

enacted level. But the 2006 level also includes a significant amount of emergency-designated funding not included the 302(b) allocation for 2007. Hence, the CR amount exceeds the 302(b) by \$8.4 billion.

The converse situation arises with the CR amount for the Military Quality of Life, Veterans Affairs, and Related Agencies appropriations bill. The House-passed version of the regular appropriations bill (the Senate had not yet acted on the measure by 1 October) includes significant increases for Base Realignment and Closure and veterans medical care compared with 2006 – and these increases are accommodated in the allocation for fiscal year 2007. Because the regular appropriation has not been enacted – and because the CR methodology requires using the lower 2006 level – the CR level appears as \$8.4 billion lower than the 302(b) allocation.

**Table 2: Discretionary Spending Provided in the Continuing Resolution  
By House Appropriations Subcommittee**  
(in millions of dollars)

	2007 302(b) Budget Authority*	2007 302(b) Outlays*	2007 CR Budget Authority	2007 CR Outlays	Difference BA	Difference Outlays
Agriculture .....	17,812	19,497	17,771	19,402	-41	-95
Energy and Water Development .....	30,017	31,411	28,924	30,749	-1,093	-662
Foreign Operations .....	21,300	23,441	19,609	23,144	-1,691	-297
Interior .....	25,889	26,902	25,437	26,536	-452	-366
Labor, Health and Human Services .....	141,930	145,631	150,375	147,565	8,445	1,934
Legislative Branch .....	4,030	4,013	3,749	3,791	-281	-222
Military Quality of Life - VA .....	94,705	88,728	86,302	84,498	-8,403	-4,230
State, Science, Commerce, Justice .....	59,839	62,143	57,422	60,351	-2,417	-1,792
Treasury, Transportation, Housing and Urban Development, DC .....	67,819	130,069	66,959	128,628	-860	-1,441
<b>Total .....</b>	<b>463,341</b>	<b>531,835</b>	<b>456,548</b>	<b>524,664</b>	<b>-6,793</b>	<b>-7,171</b>

\* Does not include amounts designated as emergency enacted after the adoption of the 2007 budget resolution.

## COMPLIANCE WITH THE BUDGET RESOLUTION

While H.J.Res. 100 will provide for total appropriations below the level set by the budget resolution, as noted above, the Departments of Labor, Health and Human Services, and Education, and Related Agencies appropriations bill exceeds its 302(b) suballocation. Consequently, a point of order under section 302(f) of the Congressional Budget Act would

lie against the bill had the bill been reported by the Appropriations Committee. Because the bill will be considered under suspension of the rules without being reported, the point of order will not apply.

Thus, the bill complies with the Budget Act.

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